

BRIAN J. MCMAHON Director

Gibbons P.C. One Gateway Center Newark, NJ 07102-5310 Direct. (973) 596-4705 Fax: (973) 639-6229 bmcmahon@gibbonslaw.com

December 3, 2009

## Via ECF Filing

Honorable Patty Shwartz, U.S.M.J.
United States District Court
District of New Jersey
United States Post Office
& Courthouse Building, Room 477
One Federal Square
Newark, New Jersey 07101

Re: Franco, et al. v. CGLIC, CIGNA Corp., et al. Civil Action Number: 07-6039 (SRC) (PS)

Dear Judge Shwartz:

As ordered on November 16, the parties submit this joint letter to inform the Court that the 30(b)(6) depositions of CIGNA witnesses on all outstanding topics have been scheduled as follows<sup>1</sup>:

| 30(b)(6) Depositions of CIGNA Witnesses |                   |                                 |
|---|-------------------|---------------------------------|
| Deponent                                | Date              | Place                           |
| Maureen Altier                          | Completed<br>6/15 |                                 |
| Anita Hill                              | 12/9              | Newark (Gibbons P.C.)           |
| Patricia Fry                            | 12/15             | Denver (to be determined)       |
| Greg Sullivan                           | 12/16             | New York (Kirkland & Ellis LLP) |
| Wendy Sherry                            | 12/17-<br>12/18   | New York (Kirkland & Ellis LLP) |

The parties are discussing the scope and timing of depositions related to CIGNA's claims data.

## Case 2:07-cv-06039-SRC-CLW Document 280 Filed 12/03/09 Page 2 of 3 PageID: 7957

GIBBONS P.C.

Honorable Patty Shwartz, U.S.M.J. December 3, 2009 Page 2

Respectfully submitted,

Brian J. McMahon, Esq. E. Evans Wohlforth, Jr., Esq. William P. Deni, Jr., Esq.

GIBBONS P.C.

One Gateway Center Newark, New Jersey 07102-5310

(973) 596-4500

William H. Pratt, Esq. Joshua B. Simon, Esq. Andrew R. Dunlap, Esq. Ryan M. Morettini, Esq. KIRKLAND & ELLIS LLP 601 Lexington Avenue New York, NY 10022 (212) 446-4800

Attorneys for Defendants Connecticut General Life Insurance Company, CIGNA Corporation, and CIGNA Health Corporation

Barry M. Epstein, Esq.

Barbara Gail Quackenbøs, Ese.

WILENTZ GOLDMAN & SPITZER P.A.

90 Woodbridge Center Drive

Suite 900, Box 10

Woodbridge, NJ 07724-2265

(732) 636-8000

D. Brian Hufford, Esq. Robert J. Axelrod, Esq. POMERANTZ HAUDEK GROSSMAN & GROSS LLP 100 Park Avenue New York, NY 10017

## Case 2:07-cv-06039-SRC-CLW Document 280 Filed 12/03/09 Page 3 of 3 PageID: 7958

Honorable Patty Shwartz, U.S.M.J. December 3, 2009 Page 3

GIBBONS P.C.

Joe R. Whatley, Jr., Esq. Edith M. Kallas, Esq. WHATLEY, DRAKE & KALLAS, LLC 1540 Broadway New York, NY 10036

Bruce H. Nagel, Esq. Diane E. Sammons, Esq. NAGEL RICE, LLP 103 Eisenhower Parkway Roseland, NJ 07068

Co-Interim Class Counsel for Plaintiffs